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The Bank of New York, as Trustee for the
Certificateholders of CWMBS, Inc., CHL
Mortgage Pass-Through Trust 2005-9, Mortgage
Pass-Through Certificates, Series 2005-9*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF
CWMBS, INC., CHL MORTGAGE PASS-
THROUGH TRUST 2005-9, MORTGAGE
PASS THROUGH CERTIFICATES, SERIES
2005-9,

Plaintiff,

vs.

ALEXANDER RIVERA; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC.; PROPERTIES PLUS INVESTMENTS
LIMITED LIABILITY COMPANY; KIDS
NEED HELP, INC.; YANLING ZHANG; DOE
INDIVIDUALS I-X, inclusive, and ROE
CORPORATIONS I-X, inclusive,

Defendants.

Case No.: 2:17-cv-01091-RFB-CWH

**STIPULATION AND PROPOSED ORDER
TO LIFT STAY AND DISMISS THE
CASE**

1 Plaintiff The Bank of New York Mellon fka The Bank of New York, as Trustee for the
2 Certificateholders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2005-9, Mortgage Pass-
3 Through Certificates, Series 2005-9 (**BoNYM**) and defendant Yanling Zhang (**Zhang**), in response
4 to the Court's order dated March 23, 2018, 2017 (ECF No. 23), respectfully submit the following
5 stipulation and proposed order:

6 1. This case involves, among other things, competing claims to property following an
7 HOA foreclosure sale.

8 2. BoNYM and Zhang each filed a lawsuit concerning the same property; Defendant
9 Zhang in state court and BoNYM in this Court.

10 3. The Court stayed this federal action pending the answer to the certified question (ECF
11 No. 23).

12 4. The parties have subsequently settled their dispute and have dismissed the state court
13 action.

14 5. Therefore, the parties request the Court lift the stay and enter an order dismissing this
15 case, with all parties to bear their own fees and costs.

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6. All other parties have either been dismissed, defaulted, or never appeared.

DATED this 14th day of November, 2018.

AKERMAN LLP

/s/ Rex D. Garner, Esq.

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ORDER

Based on the parties' stipulation above, IT IS SO ORDERED that this action be dismissed, all parties to bear their own fees and costs.



RICHARD F. BOULWARE, II
United States District Judge

DATED: November 26, 2018.